REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated April 1, 2005, claims 1-7 are pending in the application. Claims 8-108 have been withdrawn.

Claims 5 and 7 stand rejected under 35 U.S.C. §112, second paragraph. Applicants have amended Claim 1 to insert the words "a controller coupled to the first roll condition detector, the second roll condition detector and the third roll condition detector" to remedy this condition. Applicants believe that this rejection has been overcome.

Claim 7 has been amended to include the word device after the word "safety" in line 2.

Claims 1-3 and 5-7 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Matsumoto* (4,976,330). Claim 1 includes three roll condition detectors that generate a first, second, and third roll condition, respectively. A controller coupled to those detectors determines wheel lift in response to the first roll condition, second roll condition, and the third roll condition. Applicants respectfully submit that each and every one of these elements are not present in the *Matsumoto* reference.

The Examiner points to the wheel stroke sensor for detecting wheel liftoff. Applicants agree that the wheel lift off detectors provide an indication of a roll condition. For the second roll condition roll detector the Examiner points to the steering angle sensor 13 for generating a second roll condition signal and the vehicle speed sensor 27 for generating a third roll condition signal. Applicants respectfully direct the Examiner to Col. 4, lines 24-37. The Examiner has pointed to this paragraph for teaching a determination means for passively determining wheel lift in response to the first, second, and third roll conditions. Applicants respectfully submit that this passage only recites two roll conditions. That is, this passage states "the wheel liftoff detector 34 computes the lateral acceleration of the vehicle from the vehicle velocity and the steering angle and compares the thus computed lateral vehicle acceleration with a predetermined reference value. Further, the circuit 34 proceeds to determine the occurrence of wheel liftoff when the following two conditions are met at the same time: (1) the lateral vehicle acceleration exceeds the reference value; and (2) the wheel stroke L of at least either of the inside wheels of the vehicle taking a turn also exceeds a predetermined limit. Therefore, only two conditions are explicitly set forth. The Examiner points to the steering angle sensor and the vehicle speed sensors as two separate indications. However, the *Matsumoto* reference clearly teaches that the wheel speed sensor in combination with the steering angle are used together to form a roll

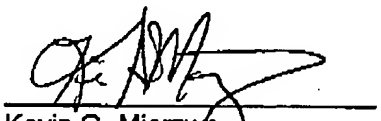
condition indication. Therefore, Applicants respectfully submit that a third roll condition detector is not taught or suggested in the *Matsumoto* reference.

Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Matsumoto*. Claim 4 now depends from Claim 3. Claim 4 recites that the passive wheel lift status signal comprises a plurality of levels. Applicants can find no teaching or suggestion for providing a plurality of levels. The wheel liftoff detector circuit 34 merely provides an indication of liftoff and does not provide any teaching relative thereto for providing various levels. Applicants therefore respectfully request the Examiner to reconsider the rejection of Claim 4.

In light of the above remarks, Applicants submit that all rejections are now overcome and the application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments which would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney.

Please charge any fees required in the filing of this amendment to deposit account 06-1510 or, if insufficient funds in that account, use deposit account 06-1505.

Respectfully submitted,



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